

1 LAW OFFICES OF STEPHEN M. MURPHY
2 STEPHEN M. MURPHY (SBN # 103768)
3 JEREMY A. GRAHAM (SBN # 234166)
4 180 Montgomery Street, Suite 940
5 San Francisco, CA 94104
6 Tel: (415) 986-1338
7 Fax: (415) 986-1231

8 LAW OFFICES OF DAVID M. PORTER
9 DAVID M. PORTER (SBN # 124500)
10 101 California Street, Suite 2050
11 San Francisco, CA 94111
12 Tel: (415) 982-8600
13 Fax: (415) 391-9515

14 Attorneys for Plaintiff
15 CHRISTINE DOUGHERTY

16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 CHRISTINE DOUGHERTY,) NO. C 07-01140 MHP
19 Plaintiff,)
20 v.) DECLARATION OF DAVID M. PORTER
21 AMCO INSURANCE COMPANY) IN SUPPORT OF EX PARTE REQUEST
and DOES ONE through TWENTY,) TO CONTINUE HEARING ON MOTION
Inclusive,) FOR SUMMARY JUDGMENT
22 Defendants.)
23 _____)
24
25
26

1 I, DAVID M. PORTER, declare:

2
3 I am one of the attorneys of record for Plaintiff Christine Dougherty and am
4 licensed to practice law in California.

5 1. I received Defendant's Motion For Summary Judgment on Monday, June 25,
6 2007. As there has been absolutely no discovery conducted yet in this case, I
7 immediately telephoned counsel for Defendant, Stephen J. Liberatore, on Monday
8 June 25, 2007, and left a voice mail message asking Mr. Liberatore to stipulate to a
9 continuance of the hearing on Defendant's Motion. I never heard back from him.

10 2. On Tuesday, June 26, 2007, I again telephoned Mr. Liberatore, whose voice
11 mail greeting said that he would be out of the office that day, but that he would be back
12 in his office Wednesday, June 27, 2007. I therefore telephoned lead counsel for
13 Defendant, Julian J. Pardini, and left him a voice mail message Tuesday morning,
14 June 26, 2007, asking whether he would stipulate to a continuance of the hearing on
15 Defendant's Motion for Summary Judgment. I never heard back from him.

16 3. On Wednesday morning, June 27, 2007, I again telephoned Mr. Liberatore
17 and again left him a voice mail message asking whether he would stipulate to a
18 continuance of the hearing on his Motion for Summary Judgment. As of 11:30 a.m. on
19 Wednesday, June 27, 2007, I have not heard back from him.

20 I declare under penalty of perjury under the laws of California and the United
21 States that the foregoing is true and correct and, if called as a witness, I could testify
22 competently thereto.

23 Executed at San Francisco, California on June 27, 2007.

24
25 /s/ David M. Porter
26 DAVID M. PORTER

ATTESTATION

I, STEPHEN M. MURPHY, hereby declare as follows:

I am one of the attorneys of record for Plaintiff Christine Dougherty in this action and am duly authorized to practice law in the State of California.

I hereby attest that concurrence from David M. Porter has been obtained in the filing of this Declaration.

I declare under the penalty of perjury under the laws of California
and the United States of America that the foregoing is true and correct and,
if called as a witness, I could testify competently thereto.

Executed at San Francisco, California on June 27, 2007.

/s/ Stephen M. Murphy
STEPHEN M. MURPHY